

KENTUCKY DEPARTMENT OF EDUCATION

STAFF NOTE

Action/Discussion Item:

Request for waiver of March 1 school council allocation date for 2009

Applicable Statute(s) or Regulation(s):

702 KAR 3:246; KRS 160.345; KRS 157.360

Action Question:

Should the Kentucky Board of Education (KBE) grant school districts a waiver of the March 1 deadline for allocations to councils?

History/Background:

Existing Policy. 702 KAR 3:246 establishes the guidelines for a minimum school council allocation and requires that the allocation be sent to councils by March 1 of each year. KRS 160.345 requires an annual allocation to school councils and requires a regulation to establish the date and procedures. KRS 157.360 establishes minimum class cap sizes for K-12 and number of pupil hours per day for grades 7-12. These minimums are used in the regulation to establish the personnel allocation to councils.

KRS 156.160 (2) provides that upon receipt of a request from a local board of education or school council through the local superintendent, the KBE may waive one of its regulations when circumstances are demonstrated that may include the following:

- An alternative approach will achieve the same result required by the regulation;
- Implementation of the regulation will cause hardship on the school district or school or jeopardize the continuation or development of programs, or
- There is a finding of good cause for the waiver.

While no specific district or council has requested this action in writing, we are making the request on behalf of all districts.

Staff Recommendations and Rationale:

Staff recommends granting the waiver to allow school districts to waive the March 1 deadline for allocating funds to school councils this year. In this time of budget uncertainty, this flexibility provides more time before the allocation must be sent to councils. Superintendents have expressed concern about having sufficiently reliable budget information to meet the March 1 deadline.

Impact on Getting to Proficiency:

School councils use their allocations for staffing, instruction and professional development to create an environment in their schools to enhance students' achievement per KRS 160.345 (2).

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Date:

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